

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
TAMARA GOLSTEN-GREEN,

Plaintiff,

-v.-

CAPTAIN JOHN DENESOPOLIS et al.,

Defendant.  
-----X

ORDER

:  
:  
:  
:  
08 Civ. 4077 (RMB) (GWG)

GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE

After consultation with the parties, the following scheduling order is adopted by the  
Court pursuant to Rule 16 of the Federal Rules of Civil Procedure:

1. This case is hereby designated as an ECF case. In the future, all filings shall be made by means of the ECF system.
2. Any motion to amend or join other parties shall be made by September 23, 2008.
3. All requests for documents and interrogatories pursuant to Local Civil Rule 33.3(a) shall be served by August 25, 2008
4. Disclosure of the identities and reports of experts, if any, as required by Rule 26(a)(2)(A) and (B) will be made by December 15, 2008.

The disclosure of identities and reports of any expert intended by an opposing party solely to rebut previously-disclosed expert evidence shall be made by January 30, 2009.

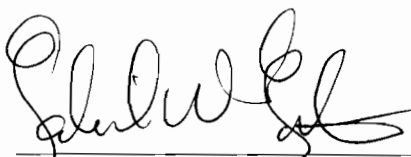
5. No discovery shall take place after January 30, 2009.
6. Any party seeking to make a dispositive motion shall seek a pre-motion conference from Judge Berman by letter sent on or before January 30, 2009.
7. If no party states its intention to file a dispositive pre-trial motion, plaintiff(s) will supply pretrial order materials to defendant(s) in accordance with the requirements of the rules of the assigned District Judge on or before February 16, 2009. The pre-trial order shall be filed within 15 days thereafter. If, however, a dispositive motion is served on or

before the date in the previous paragraph, the due date of the plaintiff's portion of the pretrial order materials shall be extended to 30 days following decision on the dispositive motion and the pretrial order shall be filed within 15 days thereafter.

8. All discovery (including requests for admission and any applications to the Court with respect to the conduct of discovery) must be initiated in time to be concluded by the deadline for all discovery. Any application for an extension of the time limitations herein must be made as soon as the cause for the extension becomes known to the party making the application. The application also must state the position of all other parties on the proposed extension and must show good cause therefor not foreseeable as of the date of this Order. 'Good cause' as used in this paragraph does not include circumstances within the control of counsel or the party. Any application not in compliance with this paragraph will be denied. Failure to comply with the terms of this Order may also result in sanctions.
9. All applications to the Court must comply with this Court's Individual Practices, which are available through the Clerk's Office or at: [http://www1.nysd.uscourts.gov/judge\\_info.php?id=67](http://www1.nysd.uscourts.gov/judge_info.php?id=67) . Discovery applications -- that is, any application or motion pursuant to Rules 26 through 37 or 45 -- not only must comply with ¶ 2.A. of the Court's Individual Practices but also must be made promptly after the cause for such an application arises. In addition, absent extraordinary circumstances no such application will be considered if made later than 30 days prior to the close of discovery. Untimely applications will be denied.

SO ORDERED.

Dated: New York, New York  
July 25, 2008

  
\_\_\_\_\_  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge

Copies to:

Anthony C. Ofodile, Esq.  
Ofodile & Associates, P.C.  
498 Atlantic Avenue  
Brooklyn, New York, 11217

Basil C. Sitaras  
Assistant Corporation Counsel  
City of New York Law Department  
100 Church St.  
New York, NY 10007